

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

GINA VALLE and ROBERT VALLE,

Debtors,

GINA VALLE,

Plaintiff,

- against -

BANK OF AMERICA, N.A.,

Defendant.

Chapter 13

Bankruptcy Case #09-24254-rdd

Adversary Case No. 09-08328-rdd

**STIPULATION VACATING DEFAULT
AND PERMITTING AMENDED
COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between
counsel for plaintiff GINA VALLE (“Plaintiff”) and defendant BANK OF AMERICA,
N.A. (“Defendant”) that:

1. The Entry of Default against Defendant, dated January 21, 2010,
is hereby vacated;

2. Plaintiff’s motion for Entry of Judgment by Default, dated
January 28, 2010, is hereby withdrawn;

3. Plaintiff is permitted to serve an Amended Complaint. Defendant's counsel agrees to accept service of the Amended Complaint. Defendant shall have 30 days after service of the Amended Complaint to respond thereto.

4. This Stipulation may be signed in counterparts and filed with the Clerk of the Court without further notice and facsimile copies shall be deemed originals.

Dated: New York, New York
February 25, 2010

LAW OFFICE OF BLEICHMAN & KLEIN

ZEICHNER ELLMAN & KRAUSE LLP

By: /s/ Joshua N. Bleichman
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By: /s/ Nathan Schwed
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It is SO ORDERED

/s/Robert D. Drain
Hon. Robert D. Drain
United States Bankruptcy Judge

Dated: White Plains, New York
March 3, 2010